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network, said congestion indicator status indicating whether said path is congested and based on congestion data from at least one device that participated in a packet telephony communication; receiving a call set up request from a source terminal; determining if a primary path between said source terminal and a destination terminal is 5 congested using said congestion indicator status; and routing said call using said at least one alternate network if said primary path between said source terminal and a destination terminal is congested.

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2. (Unamended) The method of claim 1, further comprising the step of setting a timer that 10 will cause said congestion indicator flag to automatically expire after a predefined period of time.

3. (Unamended) The method of claim 2, wherein said timer expires after a period of time within which said congestion should have been alleviated.

15 4. (Amended) A congestion management method for use in an Internet Protocol-based  
*AN* private branch exchange system within a packet network environment, said method comprising the steps of:

receiving congestion data from at least one device that participated in a packet telephony communication;

20 determining if said congestion data indicates that a path associated with said packet telephony communication is congested; and

setting a congestion indicator flag associated with said path if said congestion data indicates that a path associated with said packet telephony communication is congested.

25 5. (Unamended) The method of claim 4, further comprising the step of setting a timer that will cause said congestion indicator flag to automatically expire after a predefined period of time.

6. (Unamended) The method of claim 5, wherein said timer expires after a period of time within which said congestion should have been alleviated.

*b3* 7. (Amended) A congestion management method for use by a packet phone adapter in a packet network environment, said method comprising the steps of:

5 collecting congestion data associated with a packet telephony communication;

determining if said packet telephony communication had a duration that exceeded a predefined threshold; and

reporting said congestion data to a centralized server that performs overload control, whereby said centralized server evaluates said congestion data to determine if a path associated with said packet telephony communication is congested.

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8. (Unamended) The method of claim 7, further comprising the step of setting a timer that will cause said congestion data to automatically expire after a predefined period of time.

9. (Unamended) The method of claim 8, wherein said timer expires after a period of time  
15 within which said congestion should have been alleviated.

*A4* 10. (Amended) A congestion manager for use in an Internet Protocol-based private branch exchange system within a packet network environment, comprising:

20 a memory for storing computer readable code; and

a processor operatively coupled to said memory, said processor configured to:

receive congestion data from at least one device that participated in a packet telephony communication;

determine if said congestion data indicates that a path associated with said packet telephony communication is congested; and

25 set a congestion indicator flag associated with said path if said congestion data indicates that a path associated with said packet telephony communication is congested.

30 11. (Unamended) The congestion manager of claim 10, wherein said processor is further configured to maintain a timer that will cause said congestion indicator flag to automatically expire after a predefined period of time.